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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,895	08/31/2001	Will Fetherolf	10017930-1	4073

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EXAMINER

QIN, YIXING

ART UNIT PAPER NUMBER

2625

DATE MAILED: 04/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/944,895

Applicant(s)

FETHEROLF ET AL.

Examiner

Yixing Qin

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 December 1930.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-47 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-47 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Amendment***

In response to applicant's amendment received 12/5/05, all requested changes have been entered.

### ***Response to Arguments***

The argument is that any one or combination of references does not disclose a system of control panels as described by and recited in the claims. The Examiner respectfully disagrees. From the specification, it seems that each of the control panels in the system of control panels are merely various embodiments of the same invention. It is the Examiner's interpretation that the invention is a control panel template with regions for various multifunction device functions chosen from printing, copying, scanning and fax. From Figs. 1-4 of the applicant's specification, it appears all those figures deal with only one multifunction device.

Still, regardless of the Examiner's interpretation, the Examiner believes that the cited references in combination are, at least, enough to make the claimed invention obvious. The Examiner has cited various multifunction devices with varying options and various control panels having different combinations of the four mentioned functions above. The Examiner does not believe it should be necessary to explicitly find every possible combination since it is well known in the art to create multifunction devices with different types of functions based upon common factors such as cost and how powerful one wants the multifunction machine to be. By combining two or more of the

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references, one can obtain a system of control panels for a system of multifunction devices.

Furthermore, it would be obvious to take the teachings in the cited inventions of the various control panels and give them the same "look and feel" as is the case with the current application since the placement of the various regions within a control panel is a matter of design. That is, if one reference disclosed a printer-copier control panel with one arrangement and a printer-copier-scanner-fax with control panel with another arrangement, it would be obvious to one of ordinary skill to be able to rearrange one setup to look like another. Please see the rejection below.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

I. Claims 1-6, 8-10, 13, 15-18, 20, 23, 25-28, 30,31, 36-40, 42 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wakisaka et al (U.S. Patent No. 5,740,366 – "Wakisaka") in view of Tomita (U.S. Patent No. 5,999,765)

**1. Claims 1, 15, 25, 36**

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**A system of control panels that are configurable for any one of several different multifunction print devices each having a different combination of functions. the system of control panels comprising:**

- **a control panel configured for a multifunction print device, the control panel including any combination of selectable printing controls associated with a print function, selectable copying controls associated with a copy function, selectable scanning controls associated with a scan function, and selectable faxing controls associated with a fax function of the multifunction print device. .**
- Tomita discloses in Fig. 1A a control panel with the printer and copier functions.
- **at least an additional control panel configured for a different multifunction print device that has a different combination of functions than the multifunction print device, the additional control panel including any different combination of the selectable printing controls, the selectable copying controls, the selectable scanning controls, and the selectable faxing controls.**
- Tomita does not explicitly disclose an additional control panel as part of a system of control panels for more than one multifunction device. However, the secondary reference, Wakisaka discloses in Fig. 4 an additional control panel for a different multifunction device with a different combination of functions capable of all four functions (printing, copying, scanning and fax).
- **the various selectable controls of each control panel grouped by functional relation into control groups, and arranged within a similar region on each different control panel.**
- Although neither reference explicitly discloses the arrangement of functions in a similar region on each of the different control panels, the placement of controls in a particular manner is a matter of design. That is, one of ordinary skill in the art at the time of invention would have been able to create a control panel to look like either the Tomita or Wakisaka control panels since all of the underlying printing, copying, scanning and fax functions are present already. It is just a matter of placing the buttons to control those functions. For the sake of argument, the Wakisaka reference seems to have a better defined functional regions and the majority of the obviousness statements in this rejection will be directed towards the fact that one of ordinary skill can arrange controls in a similar fashion as that of Fig. 4 in Wakisaka. The Tomita reference is more cited for the fact that one can have a different control panel function combination than for it's actual control design.
- Both references are in the art of multifunction devices. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the Tomita and Wakisaka inventions to create a system of multifunction devices with different control panels using a particular "template" for the arrangement of the controls. The motivation would be to allow mass production of control panels that could be fitted for different multifunction devices.

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**2. Claims 2, 16, 26, 37**

**A system of control panels as recited in claim 1, wherein**

- **the control panel includes a display panel configured to display information pertaining to a multifunction print device.**
- Tomita also discloses in column 3, lines 50 a liquid display 6.
- One can see Wakasaki's display as item 147 in Fig. 4.

**3. Claims 3, 17, 27, 38**

**A system of control panels as recited in claim 1, wherein the control panel includes a label to indicate the different functions of the multifunction print device, and to identify a position on the control panel of the control groups corresponding to the different functions.**

- One can see in Tomita there are **various labels such as printer, copier indicating different functions of the multifunction device.** It may be more apparent in Fig. 4 of the Wakisaka reference in which the sections are more clearly marked.

**4. Claims 4, 39**

**A system of control panels as recited in claim 1, wherein the multiple regions include:**

- **a print region having a print control group of selectable printing controls associated with a print function of a multifunction print devices; and**
- **a copy region having a copy control group of selectable copying controls associated with a copy function of the multifunction print devices.**
- The Tomita reference discloses in Fig. 1 printer and copier functions on a control panel. One can interpret these buttons as the selectable controls of the printer and copier function group. Also, one can see from Wakisaka's design that the control placement are more defined.
- **the additional control panel has the multiple regions that include the print region having the print control group, the copy region having the copy control group, and at least one of a scan region having a scan control group of the selectable scanning controls associated with the scan function of the different multifunction print device, or a fax region having a fax control group of the selectable faxing controls associated with the fax function of the different multifunction print device.**
- The Wakasaki reference discloses an additional control panel which contain printer and copier groups and in addition have facsimile and scanning groups.

**5. Claims 5, 18**

- These claims are essentially the same as claim 4 above since the third and fourth limitations relating to the fax and scanning regions without the selectable controls can simply be blank space. One can see various blank areas on the Tomita control panel in Fig. 1.

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**6. Claims 6, 40**

- These limitations have been addressed in claims 2, 4 and 5 above.

**7. Claims 8, 30**

- Claim 8 is essentially claim 4 with the added limitation that the control panel has a scan region. Tomita discloses both a printer and copier region, but does not explicitly disclose a scan region. However, a copier would inherently have the ability to scan and would be obvious for one of ordinary skill in the art to have combined Tomita's invention included scanning options (like that in Wakasaki). The motivation would be to enhance the capabilities of the multifunction device.

**8. Claims 9, 20, 28**

- This claim has been addressed in claim 8 above. The last limitation of a fax region without selectable controls can be read upon as blank space.

**9. Claim 10, 42, 43**

- Again, in claims 8 and 9 above, the Examiner discussed why it would be obvious to have created a multifunction device including a print, copy and scan region using the Tomita reference and adding a scan region to it.
- The Wakisaka reference discloses in Fig. 4 print, copy, scan and fax regions.

**II. Claims 7, 19, 29 and 41 are rejected under 35 U.S.C. 103(a) as being**

unpatentable over Wakisaka et al (U.S. Patent No. 5,740,366 – "Wakisaka") in view of Tomita (U.S. Patent No. 5,999,765) and further in view of Altrieth, III et al (U.S. Patent No. 5,642,185) .

**10. Claims 7, 19, 29, 41**

**A system of control panels as recited in claim 1, wherein the control panel has multiple regions that include:**

- **a print region having a print control group of selectable printing controls associated with the print function of the multifunction print device, the selectable printing controls selected from a group including:**
  - **a first printing control configured to cancel a print job;**
  - Tomita discloses in Fig. 1A item "C" as a clear/stop key.
  - **a second printing control configured to select a menu option on a display panel;**
  - Tomita discloses in Fig. 1A in the center box menu options for selection

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- **one or more display controls configured to display information on the display panel;**
  - Tomita discloses in Fig. 1A and column 4, line 67 that item 46 is a display part.
- **a copy region having a copy control group of selectable copying controls associated with a copy function of the multifunction print devices, the selectable copying controls selected from a group including:**
  - Tomita discloses in Fig. 1A a copy region and keys.
  - **a first copying control configured to select copy exposure;**
  - **a second copying control configured to select a number of copies;**
  - **a third copying control configured to select copy size;**
  - **a fourth copying control configured to select copy quality;**
  - **a fifth copying control configured to select collation of copies;**
  - **a sixth copying control configured to select paper size; and**
  - **a seventh copying control configured to initiate a copy.**
- Although both Tomita and Wakasaki a copy region, neither explicitly disclose all of the above listed copying controls. However, the tertiary reference, Althrieth, III et al discloses in Fig. 3 a variety of functions that can be performed by a copier.
- All references are in the art of control systems for reproduction apparatuses. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the references to create a control panel with which include more copy control buttons. The motivation would be to have more buttons if a more powerful (i.e. has more functions) copying component is used.

III. Claims 11,12, 14, 19, 21, 22, 24, 29, 32-35, 41 and 44-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wakisaka et al (U.S. Patent No. 5,740,366 – “Wakisaka”) in view of Tomita (U.S. Patent No. 5,999,765) and further in view of Althrieth, III et al (U.S. Patent No. 5,642,185) .

**11. Claims 11, 21, 32, 44**

**A system of control panels as recited in claim 7, wherein the multiple regions further include:**

- **a scan region having a scan control group of selectable scanning controls associated with a scan function of the multifunction print device, the selectable scanning controls selected from a group including:**
  - **a first scanning control configured to select a destination location for a scanned image; and**



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- Although the Tomita Wakisaka and Altrieth, III et al references discloses a variety of functions, none of the reference disclose that a scanning control configured to select a destination location.
- However, Morisaki discloses in column 6, lines 18-22 that “[w]hen an operator sets a document onto the image scanner 13, operates the operator panel 11 to enter necessary information, and specifies a destination, the CPU 3 performs a memory read operation according to the following procedure.” Although it is not explicitly stated that there is a “control,” it would be obvious to one of ordinary skill in the art that the panel had buttons or a touch panel in order for the user to input commands.
- **a second scanning control configured to initiate a scan.**
- From Fig. 4 of Wakisaka, one can see a “super q. scan” button, in the middle row of buttons, second one from the right.
- All references are in the art of reproduction apparatuses. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to further improve a multifunction device with a scanning section with controls to designate a destination location to scan images to. The motivation for additional controls for scanning would be so that a more powerful scanning mechanism can be used in a multifunctional device.

**12. Claims 12, 22, 33, 34, 45, 46**

- These claims are similar to claim 8 with the addition that there can be an additional fax region. Tomita discloses both a printer and copier region, but does not explicitly disclose a scan or fax region. However, a copier would inherently have the ability to scan. Also, multifunction devices have been known to have fax functions as well (see Wakasaki) and would be obvious for one of ordinary skill in the art to have combined Tomita’s invention included scanning options and facsimile options (like that in Wakasaki). The motivation would be to enhance the capabilities of the multifunction device.

**13. Claims 13, 23, 31**

- This claim has been addressed in claims 2 and 12 above.

**14. Claims 14, 24, 35, 47**

**A system of control panels as recited in claim 11, wherein the multiple regions include:**

- **a fax region having a fax control group of selectable faxing controls associated with a fax function of the multifunction device, the selectable faxing controls selected from a group including:**
  - a first faxing control configured to adjust a volume of an audible output;
  - a second faxing control configured to list destination fax numbers;
  - a third faxing control configured to select fax resolution;

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- **a fourth faxing control configured to redial a destination fax number, and further configured to pause transmitting a fax;**
- **a fifth faxing control configured to initiate a fax;**
- **a keypad to dial a destination fax number; and**
- **one or more speed dial selectable controls to dial a destination fax number.**
- Tomita discloses only a printer/copier and does not explicitly disclose faxing region with controls. However, Wakasaki et al discloses in Fig. 4 various facsimile related functions. Although not all of the functions are disclosed, it would be obvious to implement the above claimed controls because they are common facsimile related controls. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to have combined the teaching of Tomita and Wakasaki to create a control panel for a multifunction device with the above controls. The motivation for additional controls is for controlling a facsimile device with more capabilities.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yixing Qin whose telephone number is (571)272-7381.

The examiner can normally be reached on M-F 9:30-6:00.

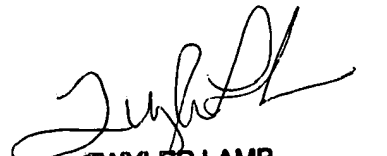
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler Lamb can be reached on (571)272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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